

REMARKS

Applicants have thoroughly considered the Examiner's remarks in the final Office action and have amended the application to more clearly set forth aspects of the invention. This Amendment B amends claims 1, 14, 24, 32, and 36. No new matter has been added.

Claims 1-3, 5-14, 17-38, and 40 are thus presented in the application for further examination. Reconsideration of the application as amended and in view of the following remarks is respectfully requested.

Drawings

Applicants request that the Examiner now have the drawings as originally filed reviewed and accepted.

Finality of the action

Applicants submit that the Office action dated January 24, 2008 was prematurely made final. According to MPEP 706.07(a), second or any subsequent actions on the merits shall be final, **except where the examiner introduces a new ground of rejection that is neither necessitated by applicant's amendment of the claims**, nor based on information submitted in an information disclosure statement filed during the period set forth in 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17(p). In this case, applicant's amendment did not introduce new matter to the claims. The subject matter of canceled claim 4 was incorporated into independent claims 1 and 37; and the subject matter of canceled claims 15-16 was incorporated into independent claims 14, 24, and 32. Thus, the Examiner cited new grounds for rejection that was **not** necessitated by the applicant's amendment of the claims but because the cited art failed to anticipate or make obvious the subject matter of the canceled claims. Therefore, the final rejection was premature and Applicants request the Examiner withdraw the finality of the January 24, 2008 Office action.

Claim Rejections Under 35 U.S.C. § 103

Claims 1, 3-5, 7-13, 24, 26-31, and 37-40 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pub. App. 2002/012071 to Bantz et al. (hereafter "Bantz" in view of U.S. Pub. App. 2003/0100326 to Grube et al. (hereafter Grube).

Bantz discloses a system of event routing services. (Abstract). Bantz teaches the event generator in the local server filters business events and sends a notification of the occurrence of a particular business event to all of the listeners that have requested notification. (Page 2, paragraph 30). Additionally, Bantz teaches subscribers sign up and are registered for services with a service provider. (Page 5, paragraph 52; FIG. 4).

Grube discloses a system for sharing location and route information between communication units that are subscribed to a group location sharing service. (Abstract). The group location sharing service is event-based, such that the communication units may form a subset of a talkgroup desiring to actively participate or monitor an event. (Abstract). A subscriber receives an acknowledgement in response to a service initiation or subscription request. (Page 10, paragraph 67).

Claims 14, 24, 32, and 37

In contrast to the cited art, the present application relates to systems and methods for **managing** a notification system for a plurality of content providers. For example, claim 24, as amended recites:

a computing device to implement a web service responsive to requests structured according to an extensible messaging framework, said computing device being coupled to a data communication network and configured to receive **requests from a plurality of content providers** via the data communication network, said requests from the plurality of content providers **specifying a selected notification management function related to managing subscriptions**, said request being structured according to the messaging framework, **each content provider being associated a plurality of subscriptions, each subscription being associated with one content provider**;

a computer-readable storage medium storing computer-executable instructions to be executed on the computing device to extract request information from the plurality of requests, said request information including a content provider identifier and a topic identifier associated with the request and **to perform the selected notification management function** based on the extracted request information, wherein the **selected notification management function is**

related to the management of subscriptions associated with the content provider corresponding to the content provider identifier; and

a memory associated with the computing device to store the extracted request information in connection with the selected notification management function.

Aspects of the present invention allows a content provider of a subscription management web service to **manage its own set of subscriptions**. (Page 14, paragraph 39; FIGS. 4A-4C). As described in the application, key functions include: subscribing an end user to a topic (e.g., a topic is a broadcast list or dynamic assignment); unsubscribing an end-user from a topic; updating a set of subscriptions; enumerating subscriptions; creating a topic; updating a topic; and enumerating topics. (Page 14, paragraph 39; FIGS. 4A-4C). Furthermore, the topic identifier is also associated with a particular content provider. For example, a topic is a named set of notifications concerning a certain interest among the subscribers. (Page 18 paragraph 47; FIG. 5D). And a topic is specified as a uniform resource locator (URL) relative to the **content provider's domain** (e.g., /bl/hexadecimal_identifier, where hexadecimal_identifier is a numeric value specified in hexadecimal). (Page 18, paragraph 47; FIG. 5D). Furthermore, a subscriber can also subscribe to a content provider, while being agnostic about topics (e.g., /.). (Page 18, paragraph 47).

As explained above, the cited art merely teaches a notification system to notify subscribers of events. Applicants submit that the cited art fails to teach, suggest or make obvious the claimed "**selected notification management function related to managing subscriptions, ..., each content provider being associated a plurality of subscriptions, each subscription being associated with one content provider**" and "**perform[ing] the selected notification management function based on the extracted request information, wherein the selected notification management function is related to the management of subscriptions associated with the content provider corresponding to the content provider identifier.**"

Writing for the Supreme Court, Justice Anthony Kennedy observed that a patent claim is invalid for obviousness when the invention combines familiar elements according to known methods to produce no more than predictable results. *KSR International Co. v. Teleflex, Inc.* U.S., No. 04-1350, 4/30/07. However, in this rejection, neither the **element of a selected notification management function related to managing subscriptions**, wherein each content provider is associated a plurality of subscriptions and each subscription is associated with one content

provider, nor the **result of performing the selected notification management function based on the extracted request information**, wherein the selected notification management function is related to the management of subscriptions associated with the content provider corresponding to the content provider identifier, is found in the combined art. Advantageously, a content provider can manage its topics and subscriptions leveraging the capabilities of the same notification system as other content providers without impacting the topics and subscriptions of the other content providers.

In light of the foregoing, Applicants submit claim 24 is allowable over the cited art. Additionally, independent claims 14, 32 and 37 includes limitations similar to claim 24 so that claims 14, 32 and 37 are allowable for at least the same reasons that claim 24 is allowable. Claims 17-23, 25-31, 33-36, 38, and 40 depend from claims 14, 24, 32 and 37, respectively, and should be allowed for at least the same reasons as claims 14, 24, 32 and 37.

Claim 1

Claim 1 as amended, recites "extracting request information from the request, said request information including at least a content provider identifier and a plurality of topic identifiers, **each said topic identifier being associated with a corresponding uniform resource locator (URL) relative to the domain of the content provider**" and "**executing the selected notification management function based on the extracted request information for each of the plurality of topic identifiers.**"

As explained above, the cited art teaches a notification system to notify subscribers of events. Writing for the Supreme Court, Justice Anthony Kennedy observed that a patent claim is invalid for obviousness when the invention combines familiar elements according to known methods to produce no more than predictable results¹. However, in this rejection, neither the **element of each said topic identifier associated with a corresponding uniform resource locator (URL) relative to the domain of the content provider** nor the **result of executing the selected notification management function based on the extracted request information for each of the plurality of topic identifiers** is found in the combined art. In light of the foregoing, Applicants submit claim 1 is allowable over the cited art. Claims 2, 3, and 5-13 depend from claim 1 and should be allowed for at least the same reasons as claim 1.

¹ *KSR International Co. v. Teleflex, Inc.* U.S., No. 04-1350, 4/30/07.

Claims 10 and 15-36

Claims 10 and 15-36 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Bantz and Grube, and further in view of U.S. Pat. 6,763,384 to Gupta et al. (hereafter Gupta). The Examiner asserts Gupta teaches receiving an acknowledgement in response to a request.

None of the above references are cited for, nor do any of these references teach or suggest "**selected notification management function related to managing subscriptions, ..., each content provider being associated a plurality of subscriptions, each subscription being associated with one content provider**" and "**perform[ing] the selected notification management function based on the extracted request information, wherein the selected notification management function is related to the management of subscriptions associated with the content provider corresponding to the content provider identifier.**" Moreover, the cited art fails to show "extracting request information from the request, said request information including at least a content provider identifier and a plurality of topic identifiers, **each said topic identifier being associated with a corresponding uniform resource locator (URL) relative to the domain of the content provider**" and "**executing the selected notification management function based on the extracted request information for each of the plurality of topic identifiers**" as claimed and described in the present application. Accordingly, claim 1 is allowable over the cited art. Claims 10 and 15-36 depend from claims 1, 14, 24, and 32, respectively, and are allowable for at the least the same reasons as claims 1, 14, 24, and 32.

Claims 2, 21, 25, 36, and 38

Claims 2, 21, 25, 36, and 38 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bantz and Grube, and further in view of Horvitz et al. (U.S. Pub. App. 2003/0101190), hereinafter Horvitz.

Horvitz teaches a schema based notification system using XML documents. (Abstract) The schema is used to organize data based on type of data (e.g., email, web sites, etc). (Page 3, [0030]). A notification schema represents metadata about the subscription of a service to a source of information. (Page 7, [0064]).

The Horvitz reference fails to cure the deficiencies of Bantz and Grube and none of the cited references, separately or in combination, teach or suggest "**selected notification**

management function related to managing subscriptions, ..., each content provider being associated a plurality of subscriptions, each subscription being associated with one content provider" and "perform[ing] the selected notification management function based on the extracted request information, wherein the selected notification management function is related to the management of subscriptions associated with the content provider corresponding to the content provider identifier." These references also fail to show "extracting request information from the request, said request information including at least a content provider identifier and a plurality of topic identifiers, **each said topic identifier being associated with a corresponding uniform resource locator (URL) relative to the domain of the content provider" and "executing the selected notification management function based on the extracted request information for each of the plurality of topic identifiers".**

Accordingly, claims 1, 14, 24, 32, and 37 are allowable over the cited art. Claims 2, 21, 25, 36, and 38 depend from claims 1, 14, 24, 32, and 37, respectively and are allowable for at the least the same reasons as claims 1, 14, 24, 32, and 37.

Claim 6

Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Bantz and Grube, and further in view of Linderman (U.S. Pub. App. 2002/0032790), hereinafter Linderman.

Linderman teaches a system for communicating over the internet using a single protocol. The method of this references uses a translator box to translate SOAP packet on second side of firewall to appropriate command for network element.

None of the above references are cited for, nor do any of these references teach or suggest "extracting request information from the request, said request information including at least a content provider identifier and a plurality of topic identifiers, **each said topic identifier being associated with a corresponding uniform resource locator (URL) relative to the domain of the content provider" and "executing the selected notification management function based on the extracted request information for each of the plurality of topic identifiers**" as claimed and described in the present application. Accordingly, claim 1 is allowable over the cited art. Claim 6 depends from claim 1 and is allowable for at the least the same reasons as claim 1.

Conclusion

Applicants submit that the claims are allowable for at least the reasons set forth herein. Applicants thus respectfully submit that the claims as presented are in condition for allowance and respectfully request favorable reconsideration of this application.

Although the prior art made of record and not relied upon may be considered pertinent to the disclosure, none of these references anticipates or makes obvious the recited aspects of the invention. The fact that Applicants may not have specifically traversed any particular assertion by the Office should not be construed as indicating Applicants' agreement therewith.

Applicants wish to expedite prosecution of this application. If the Examiner deems the application to not be in condition for allowance, the Examiner is invited and encouraged to telephone the undersigned to discuss making an Examiner's amendment to place the application in condition for allowance.

The Commissioner is hereby authorized to charge any deficiency or overpayment of any required fee during the entire pendency of this application to Deposit Account No. 19-1345.

Respectfully submitted,

/Robert M. Bain/

Robert M. Bain, Reg. No. 36,736
SENNIGER POWERS LLP
One Metropolitan Square, 16th Floor
St. Louis, Missouri 63102
(314) 231-5400

BAW/cjl